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COMMISSION ON HUMAN RIGHTS
Sub-Commission on the Promotion
and Protection of Human Rights
Fifty-first session
Agenda item 12 (b) (ii)

REVIEW OF FURTHER DEVELOPMENTS IN FIELDS WITH WHICH THE SUB-COMMISSION HAS BEEN OR MAY BE CONCERNED

REVIEW OF ISSUES NOT PREVIOUSLY THE SUBJECT OF STUDIES BUT WHICH THE SUB-COMMISSION HAD DECIDED TO EXAMINE

TERRORISM AND HUMAN RIGHTS

Letter dated 26 August 1999 from the Chargé d'affaires a.i. of the Permanent Mission of the Federal Republic of Yugoslavia to the United Nations Office at Geneva addressed to the Chairman of the Sub-Commission on the Promotion and Protection of Human Rights

I have the honour to transmit, enclosed herewith,* a letter addressed by His Excellency, Zivadin Jovanovic, Federal Minister for Foreign Affairs of the Federal Republic of Yugoslavia to the United Nations Security Council concerning the discovery of a mass grave containing the mortal remains of 15 civilians of Serbian nationality in the village of Ugljare, near Gnjilane. I would like to ask you to have it circulated as an official document of the fifty-first session of the Sub-Commission on the Promotion and Protection of Human Rights under agenda item 12 (b) (ii) - Terrorism and human rights.

(Signed) Branko Brankovic
Ambassador
Chargé d'affaires a.i.

* Reproduced as received, in the language of submission only.

Annex

FEDERAL MINISTRY OF FOREIGN AFFAIRS
FEDERAL REPUBLIC OF YUGOSLAVIA
FEDERAL MINISTER

Belgrade, 25 August 1999

Mr. President,

The Yugoslav Government and its public have been greatly indignated and shocked when they learned that a new mass grave was uncovered, containing the bodies of 15 civilians of Serb nationality, in the area of Ugljare village, near Gnjilane, including Dragan Tomic and two members of the Zdravkovic family, abducted by the terrorists of the so called KLA on 10 July 1999. The fact that US members of KFOR, within whose zone of responsibility this monstrous crime had been committed, have deliberately, for more than a month concealed this crime from the international community and from the Security Council itself, represents concealing of truth, interference with the investigation and protecting those who gave orders and those who had committed the crime.

The KFOR leadership confirmed the basic facts concerning this outrageous massacre just today, on 25 August only following an official request of the Yugoslav authorities of 24 August. It has been done without a single word of condemnation of the crime or sympathy to the families of the victims. Overall attitude of KFOR and UNMIK unambiguously confirm that they seek to manipulate the international public and the Security Council even in cases of beastly mass terrorist massacres. The purpose was to withhold information and thereby prevent the reaction of the international public and the Security Council itself in the wake of this crime, committed only one day after the massacre of 14 Serb civilians in the village of Staro Gracko. This testifies not only to the tolerant attitude but to a deliberate protection of the separatist-terrorist so called KLA in order to escape responsibility for daily murders, kidnappings, destruction and setting on fire Serb medieval monasteries and monuments of culture - effectively becoming an accomplice in a serious crime against the Serb people by flagrantly and massively violating human rights and conducting a campaign of ethnic cleansing.

H.E. Mr. Martin Andjaba
President of the United Nations
Security Council
N e w Y o r k

The Yugoslav Government and its public are particularly concerned over a slow and extremely inefficient investigation of crimes committed on a daily basis across the Province, over a tolerant and protective attitude towards Albanian terrorists and criminal gangs, encouraging them to carry out their plans of ethnic cleansing of entire non-Albanian population. UNMIK and KFOR allow that fundamental human rights of Serbs and other non-Albanians are violated daily on a massive scale by the terrorists of the so called KLA, that hordes of Albanians from Albania and Macedonia engage in the Yugoslav territory in the worst criminal activities such as drug and arms smuggling and trade in people. By such attitude, KFOR and UNMIK flagrantly violate UN SC resolution 1244 (1999) and the Military-Technical Agreement (MTA), which requires that appropriate and relevant measures be taken by the Security Council.

In view of the gravity of the situation in Kosovo and Metohija, tragically illustrated by coordinated mass massacres of Serbs in Staro Gracko and Ugljare, the Yugoslav Government demands an emergency meeting of the Security Council and expects the Council to condemn categorically in strongest terms the latest mass crime, to order an efficient and in-depth investigation with the participation of Yugoslav forensic experts in order to track down, arrest and punish the perpetrators of these crimes and those who gave them orders.

The Government of the FR of Yugoslavia recalls at the same time its previous communication to the Security Council and the UN Secretary-General and demands that:

- the Security Council undertake energetic measures and steps so that KFOR and UNMIK guarantee efficiently in practice full personal and property security of Serb, Montenegrin and other non-Albanian population in the Province, respect for the Yugoslav laws, public peace and order;

- to energetically put an end to violence and terror of Albanian separatist-terrorist and other criminal gangs;

- to ensure the release of 300 persons of Serb nationality who were abducted by Albanian terrorists since the deployment of KFOR in the Province;

- to immediately and totally disarm terrorist so called KLA and stop further arms smuggling, from and via the territories of neighbouring countries;

- to ensure the conditions for a free and safe return in dignity of around 200,000 Serbs and non-Albanians expelled from the Province in a campaign of ethnic cleansing in the period since KFOR and UNMIK assumed responsibility for the safety of the population;

- to expel all foreign nationals who illegally entered the territory of the FR of Yugoslavia;

- to return to the Province a contingent of the Army of Yugoslavia and police in accordance with UN SC resolution 1244 (1999) and MTA.

Energetic measurers and steps by the Security Council and KFOR and UNMIK along the above lines represent the only way to ensure that daily terror, killings, abductions and ethnic cleansing are stopped, that eroded dignity and credibility of the world Organization are safeguarded and to provide necessary conditions for a political solution in the Province on the basis of UN SCR 1244 (1999), respecting the principles enshrined in the Charter of the United Nations.

Please accept, Mr. President, the assurances of my highest consideration.

Zivadin Jovanovic
(Signed)